

Carley and Lust Attorneys At Law, PLLC
22 Cortland Street, Suite 1625
New York, NY 10007
Tel: 212-960-3775
Attorneys for the Debtors

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X Chapter 7
In Re Case No: 1-12-42935 (ESS)

ESTELLA BRIZINOVA and EDWARD SOSHKIN

Debtors.

-----X

NOTICE OF MOTION TO VACATE ORDER AND QUASH SUBPOENA

PLEASE TAKE NOTICE that the Debtors, by and through their attorney, will move this Court at the United States Bankruptcy Court, located at 271 Cadman Plaza East, Court room #3585, Brooklyn, NY, on November 20th, 2012, at 10:00 AM or as soon thereafter as counsel may be heard, for an Order:

- 1) Pursuant to FRCP § 60(b), vacating the order dated October 10/4/2012 allowing the trustee to examine the Debtors pursuant to Rule 2004 of the Bankruptcy Procedure, because of its inapplicability due to a contested matter;
- 2) Pursuant to FRCP § 45, made applicable by Bankruptcy Rule 9016, quashing part of the Trustee's subpoena; and
- 3) Granting such other and further relief as this Court deems just and proper.

PLEASE TAKE NOTICE, that objections, if any, are to be filed at least 14 days prior to the above-mentioned return date.

Dated: New York, New York
October 25, 2012

Signature page to follow



The Law Offices of Irina Lust, PLLC
By: Roman Leonov, of counsel
22 Cortlandt Street, 16th Floor
New York, NY 10007
212-518-1503 - direct

To:
Robert L Geltzer
1556 Third Avenue
Suite 505
New York, NY 10128

U.S. Trustee
United States Trustee
271 Cadman Plaza East
Suite 4529
Brooklyn, NY 11201